

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

NGHIA NGUYEN,

Plaintiff,

v.

NANCY FERNELIUS, et al.,

Defendants.

CASE NO. 3:23-CV-5102-TL-DWC

ORDER EXTENDING CASE  
DEADLINES

This matter has been referred to Magistrate Judge David W. Christel. On December 5, 2024, the Court received a Letter from Plaintiff Nghia Nguyen concerning his ability to file a timely response to Defendants' Motion for Summary Judgment. Dkt. 59. The current deadline for Plaintiff to file his summary judgment response is December 9, 2024. Dkt. 58.

In his Letter, Plaintiff explains that an unidentified inmate was assisting him in responding to the Motion for Summary Judgment. Dkt. 59. Plaintiff alleges that his summary judgment response materials were confiscated from the other inmate's cell approximately three weeks ago. *Id.* He requests that the Court issue an order directing the Washington State



1 Department of Corrections (“DOC”) to return the allegedly confiscated documents so that he  
2 may file his summary judgment response on time. *Id.*

3 As an initial matter, Plaintiff’s request should have been submitted to the Court in a  
4 motion instead of a letter. Even if Plaintiff had made his request in a motion, the Court would not  
5 issue an order directing the DOC to return documents to another inmate because neither the DOC  
6 nor the inmate from which the documents were confiscated is a party in this action. *See* Dkt. 41  
7 (dismissing all claims against the DOC). However, out of an abundance of caution, the Court  
8 will provide Plaintiff an additional three weeks to prepare and file his response to Defendants’  
9 Motion for Summary Judgment. The new deadline for Plaintiff to file a response Defendants’  
10 Motion for Summary Judgment is December 30, 2024. Defendants may file a reply in support of  
11 their Motion not later than January 6, 2025.

12 The Clerk of Court is directed to renote the Motion for Summary Judgment (Dkt. 47) for  
13 consideration on January 6, 2025.

14 Dated this 9th day of December, 2024.

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17 David W. Christel  
18 United States Magistrate Judge  
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